

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

10
11 **ALOYSIUS L. RHODES,**

12 Plaintiff,

13 v.
14 **MARK HEADRICK,**

15 Defendant.

16
17 Case No.: CV 07-03754-CW

**[PROPOSED] ORDER GRANTING
MOTION TO DISMISS**

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19 Defendant Mark Headrick's motion to dismiss pursuant to Rule 12(b)(6) of the Federal
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21 Rules of Civil Procedure was considered by the Court. Good cause appearing,

22 IT IS ORDERED that Defendant's motion to dismiss is GRANTED. Plaintiff's
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24 complaint, brought pursuant to 42 U.S.C. section 1983, is barred by the statute of limitations.
25 The complaint is hereby DISMISSED with prejudice.

26 IT IS SO ORDERED.

27
28 Dated: _____

— UNITED STATES DISTRICT JUDGE —